
Public Utilities Commission of the State of California

Public Agenda 3209

Thursday, February 28, 2008 10:00 a.m.

San Francisco, California

Commissioners

Michael R. Peevey, President

John A. Bohn

Rachelle B. Chong

Dian M. Grueneich

Timothy Alan Simon

For each agenda item, a summary of the proposed action is included; the Commission's decision may, however, differ from that proposed.

Website: <http://www.cpuc.ca.gov>

Scheduled Commission Meetings

505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (10 a.m.) <i>Open to the Public</i>
Monday, March 10, 2008 (San Francisco)	Thursday, February 28, 2008 (San Francisco)
Monday, April 07, 2008 (San Francisco)	Thursday, March 13, 2008 (San Francisco)
Monday, April 21, 2008 (San Francisco)	Thursday, April 10, 2008 (San Francisco)
Monday, May 12, 2008 (San Francisco)	Thursday, April 24, 2008 (San Francisco)
Friday, May 23, 2008 (San Francisco)	Thursday, May 15, 2008 (San Francisco)

**Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a Commissioner has requested that a Ratesetting Deliberative Meeting be held.*

Matters of Public Interest

For the convenience of the public and media representatives, items of widespread public interest will be taken up at the beginning of the meeting.

For further information contact the Public Advisor
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This location is accessible to people with disabilities. If specialized accommodations for the disabled are needed, e.g. sign language interpreters, please call the Public Advisor at (415) 703-2074 or TTY# (415) 703-5282 or toll free # 1-866-836-7825 three business days in advance of the meeting.

PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 7, 11, 28

Public Comment:

Consent Agenda

Items shown on the Consent Agenda will be taken up and voted on as a group in one of the first items of business of each Commission meeting. Items may be removed from the Consent Agenda for discussion on the Regular Agenda at the request of any Commissioner prior to the meeting.

Consent Agenda - Orders and Resolutions

- | | |
|--------------------|---|
| 1
[7270] | Res L-356
This resolution authorizes disclosure of records related to the California Public Utilities Commission Consumer Protection and Safety Division's investigation of a September 18, 2007 electrical incident at 16 Sylvan Way, Woodacre.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=318892 |
| 2
[7367] | Res ALJ 176-3209
Ratification of preliminary determination of category for proceedings initiated by application. The preliminary determinations are pursuant to Rule 7.1 of the Commission's Rules of Practice and Procedure.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=318828 |

Consent Agenda - Orders and Resolutions (continued)**3** **R03-10-003 - Order Instituting Rulemaking to Implement Portions of AB 117 Concerning**
[7287] **Community Choice Aggregation.**

This decision directs Pacific Gas and Electric Company, San Diego Gas & Electric Company and Southern California Edison Company (“the utilities”) to modify their tariffs with respect to certain aspects of customer notifications and the open season applicable to Community Choice Aggregators (CCA). The changes will conform the utilities’ tariffs to the Commission’s intent in the Decision (D.) 05-12-041, which governs California’s CCA program.

This decision also clarifies the Commission’s intent in D.05-12-041 with regard to the requirements for CCAs’ insurance, self-insurance or bonds and the types of liabilities those instruments would cover.

This proceeding is closed.

(Comr Peevey - ALJ Malcolm)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3208, Item 4 2/14/2008 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=317347

4 **A07-11-008 - Pacific Gas and Electric Company (PG&E).**
[7305]

This decision grants PG&E a Certificate of Public Convenience and Necessity to construct and own a 230 kilovolt transmission line in the City of Hayward. The transmission line will connect to the grid a new 600 megawatt power plant owned by Russell City Energy Center LLC (RCEC). All costs to construct, operate and maintain the transmission line will be borne by RCEC. This proceeding is closed.

(Comr Simon - ALJ Kenney)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3208, Item 8 2/14/2008 (Chong)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=318622

Consent Agenda - Orders and Resolutions (continued)**5**

[7330]

A07-06-008 - Southern California Edison Company (SCE).

For authorization to recover costs incurred in 2005 and 2006 and recorded in the Bark Beetle Catastrophic Event Memorandum Account. This decision grants SCE (1) Recovery of \$42.160 million in Operational and Maintenance expenses recorded in SCE's Bark Beetle Catastrophic Event Memorandum Account for the period of January 1, 2005 through December 31, 2006; (2) authorizes the transfer of \$44.306 million, plus interest to the effective date of today's decision, to the Distribution Sub-account of the Base Revenue Requirement Balancing Account for recovery in rates; and (3) authorizes SCE to terminate the Bark Beetle Property Owner Tree Removal Reimbursement Program. This proceeding is closed.

(Comr Simon - ALJ DeBerry)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3208, Item 17 2/14/2008 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=318944

6

[7331]

Res E-4147 - Pacific Gas and Electric Company (PG&E).

This resolution approves PG&E's Advice Letter (AL) 3158-E seeking approval under Public Utilities Code Section 851 to consent to Dana L. Ryan and Kimberly A. Ryan a non-exclusive road and utility easement to use an existing maintenance road on and over a portion of PG&E electric transmission fee strip property. This resolution has been prepared pursuant to a pilot program specified in Resolution ALJ-202 granting expedited treatment to utility proposals meeting certain requirements. (AL 3158-E filed November 28, 2007)

Agenda 3208, Item 18 2/14/2008 (Chong)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=319070

7

[7312]

I02-06-003 - Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers.

This decision approves two unopposed requests filed as part of the document entitled AT&T Mobility's Status Report Regarding Settlement Implementation and Administration on October 15, 2007. The Commission authorizes: (1) use of a portion of the undistributed settlement funds remaining in Fund B to pay the intervenor compensation that Decision 07-09-015 awards to Utility Consumer Action Network; and (2) use of a portion of the interest earned on the principal in Fund A to pay the cost of providing telephone support for settlement administration. This proceeding is closed.

(Comr Peevey - ALJ Vieth)

Pub. Util. Code § 311 -- This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=319051

Consent Agenda - Orders and Resolutions (continued)

- 8**
[7314] **A07-06-016 - Wickland Pipelines LLC (Wickland).**
This decision grants Wickland authority under Public Utilities Code §§ 816 et seq., and § 851 to issue \$10 million of debt and equity, including debt secured by utility assets. This represents an increase of \$2.619 million over the debt and equity authorized by Decision 02-11-023. This decision also requires Wickland to pay a fine of \$5,000 for violating § 818 and § 851 by issuing secured debt and equity without Commission authorization. This proceeding is closed.
(Comr Simon - ALJ Kenney)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=315517
- 9**
[7315] **Res W-4677 - Fulton Water Company.**
This resolution authorizes a general rate increase producing additional annual revenue of \$198,745 or 46.5% in 2008.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=318418
- 10**
[7316] **Res W-4676 - Point Arena Water Works, Inc.**
This resolution authorizes a general rate increase, producing an increase of \$30,974 or 15.23% producing gross annual revenues of \$234,314 in test year 2007.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=319017
- 11**
[7322] **C07-07-023 - The Olympic Club, a California Corporation (Complainant) vs. CF Communications, LLC, a Nevada Limited Liability Company, dba Telekenex (Defendant).**
On December 10, 2007, the complainant filed a motion to withdraw the complaint with prejudice. While the defendant did not file a response to this motion, on January 7, 2008, the defendant indicated to the Administrative Law Judge that it supports the motion. Accordingly, this complaint is dismissed with prejudice. This proceeding is closed.
(Comr Simon - ALJ DeAngelis)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=314745

Consent Agenda - Orders and Resolutions (continued)

- 12 (Rev.)** **Res L-357**
[7323] This resolution authorizes the disclosure of certain records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of a gas incident on June 29, 2007, near the intersection of Prosper Street and East Commerce Way, Sacramento.
02/21/2008 - This revision was not shown on the Agenda mailed to the public.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=318906
- 13** **A07-08-031 - San Diego Gas & Electric Company and Southern California Gas Company**
[7332] **(Applicants).**
For approval of proposals set forth in Applicants' Joint Climate Action Initiative. This decision dismisses the application without prejudice and provides guidance on where to pursue certain issues in other proceedings. This proceeding is closed.
(Comr Bohn - ALJ Long)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E10535
- 14** **A07-06-006 - Pacific Gas and Electric Company (PG&E).**
[7335] For PG&E, the Commission adopts a 2008 electric procurement cost forecast of \$3,290.6 million, which is \$332.0 million higher than 2008 revenue would be at present rates. The total 2008 electric procurement cost forecast of \$3,290.6 million consists of PG&E's 2008 Energy Resources Recovery Account forecast revenue requirement of \$3,060.5 million, its ongoing Competition Transition Cost forecast revenue requirement of \$245.9 million, and a downward Power Charge Indifference Adjustment of \$15.8 million. The \$332.0 million increased 2008 revenue requirement will be consolidated with revenue requirement effects of other recent Commission decisions. This proceeding is closed.
(Comr Bohn - ALJ Patrick)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=318654

Consent Agenda - Orders and Resolutions (continued)

- 15**
[7336] **A07-11-009 - Pacific Gas and Electric Company (PG&E).**
This interim decision grants PG&E a certificate of public convenience and necessity to construct the Colusa Power Project, a new 657 megawatt combined cycle generating facility to be located in unincorporated Colusa County, contingent on its environmental certification by the California Energy Commission and the Commission's consideration of that certification.
(Comr Peevey - ALJ Yacknin)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=318954
- 16**
[7339] **A07-09-020 - Wide Voice, LLC (Applicant).**
This decision grants Applicant a certificate of public convenience and necessity under Pub. Util. Code § 1001 to provide limited facilities based and resold competitive local exchange and interexchange telecommunications services. By this decision, the Commission grants the requested authority subject to the terms and conditions set forth in the decision. This proceeding is closed.
(Comr Chong - ALJ Patrick)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=304892
- 17**
[7343] **A07-10-022 - Greenfield Communications, Inc. (Applicant).**
This decision grants Applicant a certificate of public convenience and necessity (CPCN) under Pub. Util. Code § 1001 to provide facilities-based local exchange services. By this decision, the Commission grants Applicant authority to expand its existing CPCN to include the provision of limited facilities-based local exchange services within the State of California subject to the terms and conditions set forth herein. To the extent Applicant requests full facilities based authority, this request is denied. This proceeding is closed.
(Comr Simon - ALJ DeAngelis)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=314180
- 18**
[7344] **A07-10-019 - EBLC Telecom, Inc. (Applicant).**
This decision grants Applicant a certificate of public convenience and necessity pursuant to Pub. Util. Code § 1001 to provide limited facilities-based and resold competitive local exchange and interexchange services, subject to the terms and conditions set forth in the decision. This proceeding is closed.
(Comr Simon - ALJ Patrick)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=309116

Consent Agenda - Orders and Resolutions (continued)

- 19** **A08-01-001 - Theodros Ashenafi (Applicant).**
[7346] This decision authorizes Applicant to acquire control of Shuttle Pro, Inc. This proceeding is closed.
 (Exam Clark)
 Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
 http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=316248
- 20** **A07-12-011 - El Sayad Elhamaki dba Superporter Express (Applicant).**
[7347] This decision authorizes Applicant to transfer his passenger stage corporation certificate to Suhil Babikir. This proceeding is closed.
 (Exam Clark)
 Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
 http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=316241
- 21** **A07-10-016 - Matt Dillon Water Company (Applicant).**
[7349] This decision approves Applicant's request to sell the utility to the Tuolumne Utilities District. This proceeding is closed.
 (Exam Kahlon)
 Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
 http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=314973
- 22** **A07-10-023 - Kerman Telephone Company (Applicant).**
[7349] This decision grants Applicant the authority to issue notes in an amount not exceeding \$7,677,000, and to execute a related agreement and supplemental security instruments. This proceeding is closed.
 (Exam Kahlon)
 Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
 http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=301877
- 23** **Res G-3412 - Pacific Gas and Electric Company (PG&E).**
[7354] This resolution approves PG&E's Advice Letter (AL) 2876-G. This resolution has been prepared pursuant to a pilot program specified in Resolution ALJ-202 granting expedited treatment to utility proposals meeting certain requirements. (AL 2876-G filed October 12, 2007)
 http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=316357

Consent Agenda - Orders and Resolutions (continued)**24 A07-07-019 - Southern California Edison Company (SCE).**

[7363]

This decision approves SCE's application to lease a 5.34 acre site located on a portion of its La Fresa-Lighthipe right-of-way in the City of Compton to Greenleaf Industrial Parking, LLC. This proceeding is closed.

(Comr Simon - ALJ O'Donnell)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=309594

25 A07-09-015 - Sierra Advantage, Inc. (Applicant)

[7366]

This decision grants Applicant a certificate of public convenience and necessity to provide limited facilities-based and resold competitive local exchange and interexchange services, subject to the terms and conditions set forth in the decision. This proceeding is closed.

(Comr Chong - ALJ Patrick)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=309095

26 A07-11-013 - Rural Broadband Now!, LLC (Applicant).

[7368]

This decision grants Applicant a certificate of public convenience and necessity under Pub. Util. Code § 1001 for authority to provide full facilities-based and resold local exchange telecommunications services as a competitive local carrier. The Commission grants the requested authority subject to the terms and conditions set forth in the decision. Applicant proposes to install adjacent Digital Subscriber Line Access Multiplexer terminals to offer local exchange services and is authorized to use the Energy Division's 21-day California Environmental Quality Act exemption process for Commission approval of such construction. This proceeding is closed.

(Comr Chong - ALJ Patrick)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=315544

27 A07-10-008 - San Diego Gas & Electric Company (SDG&E).

[7370]

This decision adopts a 2008 Energy Resource Recovery Account (ERRA) revenue requirement forecast of \$870.881 million and a Competitive Transition Charge (CTC) revenue requirement of \$51.864 for SDG&E. This forecast represents an increase of approximately \$293 million, or 50.9%, over its 2007 ERRA revenue requirement forecast. This proceeding is closed.

(Comr Simon - ALJ Gamson)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=318976

Consent Agenda - Orders and Resolutions (continued)**28** **C05-11-011 - Utility Consumers' Action Network vs. SBC Communications, Inc. dba SBC**
[7372] **Pacific Bell Telephone Company and related entities.**

This decision extends the statutory deadline until June 16, 2008 to allow the Commission to complete a review of the appeal of the Presiding Officer's Decision.

(Comr Peevey - ALJ Thorson)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=316900

29 **A06-02-026 - Golden State Water Company.**

[7374]

This decision, relying upon § 1701.5(a), extends the statutory deadline for this proceeding. The Commission will extend this deadline for an additional 60 days, until April 28, 2008, to allow time for the parties to file comments pursuant to § 1701.2(d) on the proposed decision and for the Commission's consideration of these comments.

(Comr Bohn - ALJ DeAngelis)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=316838

Regular Agenda

Regular Agenda - Energy Orders

- 30**
[7229] **R07-05-025 - Rulemaking regarding whether, or subject to what conditions, the suspension of direct access may be lifted consistent with Assembly Bill 1X and Decision 01-09-060.**
Pursuant to Phase I of this rulemaking, the Commission herein determines the nature, extent, and timing of the Commission's discretionary authority under applicable statutes to lift the suspension that currently applies to the provision of retail electric service through "direct access."
(Comr Peevey - ALJ Pulsifer)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.
Agenda 3206, Item 34 1/10/2008 (Staff);
Agenda 3207, Item 24 1/31/2008 (Bohn);
Agenda 3208, Item 24 2/14/2008 (Peevey)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=318791
- 31**
[7293] **A07-05-020 - Southern California Edison Company (SCE).**
This decision modifies and approves, as modified, SCE's request to conduct a study to evaluate the feasibility of a Clean Hydrogen Power Generation plant. This proceeding is closed.
(Comr Peevey - ALJ Yip-kikugawa)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
Agenda 3208, Item 26 2/14/2008 (Bohn)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=318747
- 32**
[7325] **A07-10-013 - Southern California Edison Company (SCE).**
This decision approves two SCE demand response contracts with Ancillary Services Coalition. Six other proposed demand response contracts are not approved at this time because they are not needed for planning reserve or reliability purposes and do not provide any insurance value. SCE may resubmit these six contracts in its June 1, 2008 application for 2009 through 2011 demand response programs, taking into account cost-effectiveness and other standards developed in Rulemaking 07-01-041. This proceeding is closed.
(Comr Chong - ALJ Gamson)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E10531

Regular Agenda - Energy Orders (continued)

33 A07-01-047 - San Diego Gas & Electric Company (SDG&E).

[7329]

This decision grants SDG&E's motion to adopt the all party settlement which resolves all of the issues in this proceeding except for the Assembly Bill 1X (AB1X) issues. The decision addresses the revenue allocation and rate design issues for SDG&E's electric revenue requirement for 2008 through 2010. AB1X (Codified as Water Code Section 80110) bars the Commission from increasing electricity charges above 2001 levels for use up to 130% of existing baseline quantities. This issue will be addressed in a separate decision.

(Comr Bohn - ALJ Wong)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=319110

34 A07-05-009 - Lodi Gas Storage, L.L.C (LGS).

[7352]

This decision grants an amended certificate of public convenience and necessity (CPCN) to LGS to construct and operate Phase II of the Kirby Hills Natural Gas Storage Facility, which is located in Solano County. A CPCN for the first phase of the project was granted in Decision 06-03-012. As part of the amended CPCN, LGS will be required to comply with all of the conditions in the Mitigation Monitoring Plan set forth in the Subsequent Mitigated Negative Declaration and Initial Study (Subsequent MND/IS) that the Energy Division issued in connection with the Phase II project in December 2007. The Subsequent MND/IS concludes that with implementation of all of these mitigation measures, the potential environmental effects of Phase II of the Kirby Hills Facility can be reduced to less-than-significant levels. This proceeding is closed.

(Comr Peevey - ALJ McKenzie)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=318246

Regular Agenda - Energy Resolutions and Written Reports**35**

[7086]

Res E-4127 - Pacific Gas and Electric Company (PG&E).

This resolution denies without prejudice PG&E's proposal to implement a new Demand Response resource called the Cafeteria Style Menu Program. (Advice Letter 3085-E filed July 13, 2007)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3203, Item 36 11/16/2007 (Staff);

Agenda 3204, Item 33 12/6/2007 (Staff);

Agenda 3205, Item 53 12/20/2007 (Staff);

Agenda 3207, Item 26 1/31/2008 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=318863

35a

[7269]

ALTERNATE TO ITEM 7086

This alternate resolution authorizes PG&E to implement a new Demand Response resource called the Cafeteria Style Menu Program.

Agenda 3207, Item 26a 1/31/2008 (Staff)

Regular Agenda - Water/Sewer Orders**36**

[7300]

I07-01-022 - Order Instituting Investigation to Consider Policies to Achieve the Commission's Conservation Objectives for Class A Water Utilities.

Application (A) 06-09-006, A06-10-026, A06-11-009, A06-11-010, and A07-03-019 - Related matters. This Phase 1A decision adopts seven settlements concerning: (1) the conservation rate designs and revenue adjustment mechanisms of California Water Service Company (settlement adopted in part), Park Water Co. (Park), and Suburban Water Systems (Suburban); (2) Suburban's low-income ratepayer assistance program; (3) Suburban's return on equity adjustment; (4) Park's conservation memorandum account; (5) Park's data collection and reporting; and (6) Suburban's customer outreach and education and data collection and reporting. The decision also approves Suburban's memorandum account for extraordinary expenses.

(Comr Bohn - ALJ Grau)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3208, Item 30 2/14/2008 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=318968

Regular Agenda - Legal Division Matters**37**

[7359]

WC Docket No. 07-267

In the Matter of Petition to Establish Procedural Requirements to Govern Proceedings Forbearance Under Section 10 of the Communications Act of 1934, as Amended, WC Docket No. 07-267. The Federal Communications Commission (FCC) seeks comment on the whether it should adopt procedural rules to govern its consideration of petitions for forbearance pursuant to the Communications Act of 1934, as amended. Staff requests authority to file comments at the FCC. http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=318405

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[7360]

WC Docket No. 08-08

In the Matter of Petition of the Embarq Local Operating Companies for Limited Forbearance Under 47 U.S.C. § 160 from Enforcement of Rule 69.5(a), 47 U.S.C. § 251(b), and Commission Orders on the ESP Exemption, WC Docket No. 08-08. The Federal Communications Commission seeks comment on Embarq's petition requesting that the FCC forbear from enforcing the "ESP exemption" from the intercarrier compensation regime for IP-enabled voice calls which are terminated on the public switched telephone network. http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=318276

39

[7369]

Res L-358

This draft resolution responds to subpoena for 26 accident reports sent by San Francisco Muni to the Commission in accord with the requirements of General Order 164-D. http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=319133

Regular Agenda - Legislative and Other Matters

Regular Agenda - Commissioner's Reports

Regular Agenda - Management Reports and Resolutions

46 (Rev.)

General Counsel's Report

[7404]

Discussion and action regarding February 2008 Addendum to Summary of Material Terms of DWR Financing Documents; to provide for refinancing a portion of DWR's Power Supply Revenue Bonds. This item is added to the Agenda pursuant to Government Code Section 11125.3(a)(2).

02/25/2008 - This item was not listed on the agenda distributed to the public.

Closed Session

This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126(e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the disclosures required by Government Code Sections 11125.2 and 11126.3(f).

Closed Session - Applications for Rehearing

40

[7279]

Conference with Legal Counsel - Applications for Rehearing

Compilation of applications for rehearing recently filed with the Commission.

*Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.***41**

[7358]

R03-08-018 - Conference with Legal Counsel - Application for Rehearing

Disposition of application for rehearing filed by Qwest Communications Corporation of Decision 07-12-020. This decision, among other things, reduces intrastate access charges by requiring all mid-size incumbent local exchange carriers to remove the non-cost-based element of its equivalent as of January 1, 2009.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Initiation of Litigation - Non-Federal

Consideration of possible Commission initiation of, or intervention in, litigation.

Gov. Code § 11126(e)(2)(C)(i) and/or § 11126(d)(2), allows this item to be considered in Closed Session.

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[7299]

I_____ - Conference with Legal Counsel - Initiation of Litigation

Deliberation on institution of investigation of proceedings or disciplinary actions against persons or entities under the Commission's jurisdiction. (Disclosure of the case name would fail to protect the private economic or business reputation of the person or entity if the proceeding or disciplinary actions is not commenced.)

Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.

Gov. Code § 11126(d)(2), allows this item to be considered in Closed Session.

Agenda 3207, Item 35 1/31/2008 (Staff)

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - Existing Litigation - Non-Federal

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[7348]

Case No. A116728 - Conference with Legal Counsel - Existing Litigation

Discussion with Commissioners regarding request for amicus brief from the Court of Appeal, First Appellate District, Division One, in Koponen v. PG&E, Case No. A116728.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Threatened Litigation - Federal

Significant exposure to litigation in federal agency or court proceedings.

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - Initiation of Litigation - Federal

Consideration of possible Commission initiation of, or intervention in, federal agency or court proceedings.

Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.

Closed Session - Federal

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[7280]

FERC Docket No. ER06-615 - Conference with Legal Counsel - Existing Litigation

California Independent System Operator Corporation, FERC Docket No. ER06-615, also known as Market Redesign and Technology Update (MRTU).

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - FERC Docket No. EL00-95-000, et al.

Conference with Legal Counsel - Existing Litigation; San Diego Gas & Electric Co., FERC Docket No. EL00-95, Investigation of Practices of the California Independent System Operator and the California Power Exchange, FERC Docket EL00-98, and related dockets, CPUC v. FERC, Ninth Circuit Nos. 01-71051, et al., and 01-71934, et al., and related dockets.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Personnel Matters

Consideration of appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.

Gov. Code § 11126(a), allows this item to be considered in Closed Session